

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VIBER MEDIA S.À R.L., F/K/A VIBER
MEDIA, INC.,

Plaintiff,

-v-

NXTGN, INC., NEXT GROUP HOLDINGS,
INC., NEXT COMMUNICATIONS, INC.,
AND CUENTAS, INC.,

Defendants.

No. 18-cv-618 (RJS)
JUDGMENT

Plaintiff Viber Media S.à r.l., formerly known as Viber Media, Inc. (“Viber”), having brought this action for breach of contract against Defendants NxtGn, Inc. (“NxtGn”), Cuentas, Inc. (“Cuentas”), Next Group Holdings, Inc. (“NGH”), and Next Communications, Inc. (“Next Communications”), alleging that NxtGn, Cuentas, and Next Communications were jointly and severally liable under the Non-Disclosure and Confidentiality Agreement for Viber’s attorneys’ fees and costs incurred in litigating Next Communications’ and NxtGn’s previous suit against Viber; and

The Court having issued an Opinion and Order dated June 15, 2020, dismissing NGH as a separate party and granting NxtGn’s and Cuentas’s motion to dismiss Viber’s breach of contract claims against them; and

The parties agreeing that Next Communications is liable for \$527,782.10 in attorneys’ fees and costs to Viber; and

Viber and Next Communications being subject to the Order Confirming Debtor’s Second Amended Plan of Reorganization (the “Second Amended Plan of Reorganization”) dated January

30, 2019 and entered in Next Communications' Chapter 11 bankruptcy proceeding captioned *In re Next Communications, Inc.*, No. 16-26776 (RAM), before the United States Bankruptcy Court for the Southern District of Florida; accordingly

IT IS HEREBY ORDERED AND ADJUDGED that Viber have judgment against and recover from Next Communications the amount of \$527,782.10, subject to all terms set forth in the Second Amended Plan of Reorganization.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.

Dated: July 13, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation